

REMARKS/ARGUMENTS

The claims are 17-21, 23 and 29-33, with claims 24-27, having previously been withdrawn by the Examiner as being directed to a non elected invention. Claim 29 has been amended to incorporate the subject matter of claim 22. Accordingly, claim 22 has been canceled, and claim 31 which previously depended on claim 22 has been amended to depend on claim 29. Reconsideration is expressly requested.

Claims 17-23 and 29-33 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Pall et al.* U.S. Patent No. 3,327,866 in view of *Buck* U.S. Patent No. 6,284,201 for the reasons set forth on pages 2-3 of the Office Action, which essentially repeat the arguments made in the Examiner's previous Office Action dated April 6, 2007. The Examiner also indicated that in her view, it would be possible to incorporate a metal fiber yarn into the fabric of *Pall et al.* because *Pall et al.* discloses a wide range of pore sizes (Table I-V). In addition, according to the Examiner, if it were obvious to combine references for one reason, it is obvious to combine references for all reasons.

This rejection is respectfully traversed.

As set forth in claim 29 as amended, Applicants' invention provides a woven cloth made from metal having a weft and a warp including a first plurality of metal wires, a plurality of metal fiber threads worked in between the metal wires, and a support layer including a second plurality of metal wires. Each metal fiber thread includes a bundle of fibers, with each fiber having a diameter less than 100 μm , wherein a section through the metal fiber thread has more than 100 fibers. In this way, Applicants' invention provides a woven cloth which is inexpensive to produce and is suitable to provide optimal filtration results.

None of the references cited by the Examiner discloses or suggests a woven cloth made from metal having a weft and a warp with the structure recited in Applicants' claim 29 as amended, including a support layer comprising a second plurality of metal wires. Although *Pall et al.* states at col. 5, lines 55-56, that their wire mesh can be used as filters in single or multiple layers, there is no disclosure or suggestion in *Pall et al.* of a woven cloth having a weft and a warp that includes a first plurality of metal wires, a plurality of metal fiber threads worked in between the metal wires, and a support layer comprising a second plurality of metal wires as recited in Applicants' claim 29 as amended.

Moreover, as Applicants pointed out previously, it is respectfully submitted that it is not possible to incorporate a metal fiber yarn into a fabric as shown in *Pall et al.* because of the extremely closely adjacent metallic wire and wires for the warp. The pore sizes disclosed in *Pall et al.* would not lead one to incorporate a metal fiber yarn because to do so would decrease the stability of *Pall et al.'s* fabric.

Similarly, there is no disclosure or suggestion in the secondary reference to *Buck* of a woven cloth made from metal having a weft and a warp including a support layer comprising a second plurality of metal wires. *Buck* simply shows a knitted fabric structure which allows for incorporation of a fiber yarn for increased stability. There is no disclosure or suggestion of a support layer as recited in Applicants' claims. Moreover, it is respectfully submitted that one would not have replaced the weft fabric in *Pall et al.* with a metal fiber yarn of *Buck* because one skilled in the art would have been believed that doing so would reduce the stability of *Pall et al.* fabric.

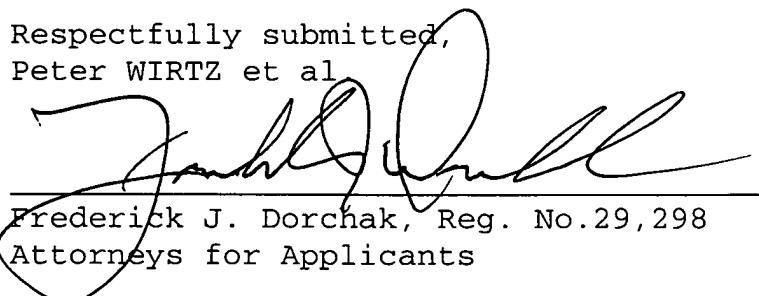
Moreover, as recited in Applicants' claim 21, the metal wires form a smooth surface, and as recited in Applicants' claim 23, a metal wire holds the woven cloth together. The Examiner

has not pointed out how these features are taught by the combination of *Pall et al.* and *Buck*, and it is respectfully submitted that claims 21 and 23, are patentable for this additional reason.

Accordingly, it is respectfully submitted that claim 29 as amended, and claims 21 and 23, together with claims 17-20 and 30-33, which depend directly or indirectly on claim 29 as amended, are patentable over the cited references.

In summary, claims 29 and 31 have been amended, and claim 22 has been canceled. In view of the foregoing, it is respectfully requested that the claims be allowed and that this case be passed to issue.

Respectfully submitted,
Peter WIRTZ et al


Frederick J. Dorchak, Reg. No. 29,298
Attorneys for Applicants

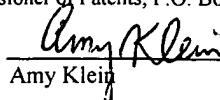
COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802
FJD:djp

Enclosure: Copy of Petition - 2 month extension of time

EXPRESS MAIL NO. **EM 050 011 111 US**

Date of Deposit: **February 14, 2008**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above, and is addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Amy Klein